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Held at Headquarters, New York,
on Monday, 6 June 1994, at 3 p.m.

President: Mr. MARKER (Pakistan)
(Acting President)

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The meeting was called to order at 3.25 p.m.

ADOPTION OF THE AGENDA (E/1994/72)

The CHAIRMAN drew attention to the provisional agenda of the Special Session contained in document E/1994/72.

The agenda was adopted.

HUMAN RIGHTS QUESTIONS (E/1994/24/Add.2 and E/1994/L.8)

The CHAIRMAN drew the Council's attention to the report of the Commission on Human Rights on its third special session (E/1994/24/Add.2), chapter I of which recommended the adoption by the Council of a draft decision entitled "The situation of human rights in Rwanda". In that decision the Council was requested to endorse resolution S-3/1 adopted by the Commission on Human Rights. He also drew the Council's attention to the statement of the administrative and programme budget implications of that resolution (E/1994/L.8) and proposed that, given the urgency of the matter and time constraints, the Council should immediately adopt the draft decision.

Mr. VASSILAKIS (Greece), speaking on behalf of the European Union in explanation of vote before the vote, said that the European Union stressed that all persons who perpetrated, incited or authorized genocidal acts and other violations of international humanitarian law were individually responsible and would have to answer personally for those acts and violations. The international community should spare no effort to end that tragedy; hostilities should stop in order to resume the negotiation process started at Arusha.

The European Union called upon the authorities in Rwanda to condemn publicly and put an end to the human rights violations committed by the militia, elements of the armed forces and the presidential guard, and to ensure that the human rights of all individuals within their jurisdiction, irrespective of ethnic origins, were fully respected. It also called upon the Rwandese Patriotic Front to prevent persons under its command from committing human rights abuses and violations of international humanitarian law and urged all parties to cooperate with the United Nations Assistance Mission to Rwanda (UNAMIR).

The European Union welcomed the appointment of Mr. Réné Degni Segui as Special Rapporteur of the Commission on Human Rights for Rwanda and the

promptness with which the High Commissioner on Human Rights undertook a mission to Rwanda and neighbouring countries. The Economic and Social Council must endorse the mandate of the Special Rapporteur in order to enable him to visit Rwanda forthwith. The European Union called upon all parties to the conflict to cooperate with the Special Rapporteur in the fulfilment of his mandate.

The European Union was of the opinion that the Special Rapporteur needed to be assisted by a team of human rights field officers acting in close cooperation with UNAMIR and United Nations agencies and programmes operating in Rwanda and urged that the appropriate financial and human resources should be provided without delay for the implementation of the activities envisaged under the resolution. The European Union was ready to increase its humanitarian aid and would continue its immediate assistance to refugees in the neighbouring countries. It would also dispatch a mission at the Development Ministers level as soon as possible to the countries neighbouring Rwanda with a view to evaluating the humanitarian situation following the influx of the refugees.

Mr. TROTTIER (Canada) said that his country, which had participated actively in the convening and holding of the special session of the Commission on Human Rights, felt that everything possible must be done to bring an end to the suffering of the people of Rwanda. In providing for the appointment of a Special Rapporteur, the resolution adopted by the Commission ensured that the human rights machinery of the United Nations was fully engaged in the overall effort of the international community to address that tragedy. The support of the Economic and Social Council was essential for the Special Rapporteur to begin his task immediately.

Canada commended the initiative and courage that the High Commissioner had shown in that most difficult situation. His activities not only validated the creation of the post which he filled but also demonstrated the wisdom of selecting someone who had proved to be so competent.

The Canadian delegation believed that the overwhelming support exhibited by States from all regions for the special session of the Commission on Human Rights as well as the massive cosponsorship of the resolution on Rwanda and the unanimous adoption of that resolution demonstrated the international community's desire to address the human rights dimension of the tragedy in Rwanda and urged the Economic and Social Council to endorse without delay the resolution adopted by the Commission on Human Rights.

Mr. ORDZHONIKIDZE (Russian Federation) said that the international community must concentrate its efforts on stopping the bloodshed in Rwanda and ensuring that it did not recur. Russia participated actively in measures designed to bring an end to the bloody war in Rwanda and had sponsored Security Council resolution 918 (1994) of 17 May 1994 designed to achieve a peaceful settlement to the conflict. The Russian Federation had also supported the initiative of the High Commissioner for Human Rights and of the Government of Canada to convene the special session of the Commission on Human Rights; the resolution adopted by the Commission was a detailed plan of action of the international community.

In his delegation's view, it was extremely important to appoint a Special Rapporteur for an initial period of one year to investigate the human rights situation in Rwanda. It was also very important to give specific powers to the High Commissioner to deal with the situation in Rwanda so as to ensure, in particular, that activities designed to resolve the conflict and bring about peace included a strong human rights component; that process must also be effectively supported through a broad-based human rights programme. It was also significant that the Commission had issued a strong warning to those responsible for violations of human rights and of international humanitarian law, including acts of genocide, that they would have to answer for their acts.

The Russian Federation strongly rejected attempts to settle the conflict in Rwanda by force and supported the immediate cessation of hostilities and acts of violence in Rwanda. It was also willing to coordinate its actions at the multilateral and bilateral levels with all members of the international community, the Organization of African Unity and the African States.

His delegation urged all States to unanimously support the recommendation that the Economic and Social Council should adopt resolution S-3/1 of the Commission on Human Rights of 25 May 1994. However, they should not lose sight of the administrative and programme budget implications given the Organization's strained financial situation, and must ensure that the implementation of effective measures would not involve the disbursement of huge sums of money.

Mr. BLANEY (United States of America) said that his delegation fully supported the resolution adopted by the Commission on Human Rights at its special session. The international community was confronted with urgent tasks such as how to stop the killing, achieve a cease-fire, provide humanitarian

relief, facilitate meaningful negotiations and assist in the investigation of human rights atrocities. It must also consider steps that would permit long-term reconciliation and repair the damage done by the carnage.

That was why the United States Government had strongly supported the High Commissioner for Human Rights' recommendation to convene a special session of the Commission on Human Rights on Rwanda. His delegation hailed the position taken by the leaders of Cameroon, Canada and Nigeria during the special session as well as the significant contributions made by the Security Council, the Department of Humanitarian Affairs, the United Nations High Commissioner for Refugees, the United Nations High Commissioner for Human Rights and the Special Representative in addressing the tragedy in Rwanda. It also commended the efforts of the International Committee of the Red Cross in protecting civilians and displaced persons inside Rwanda.

The United States strongly supported the resolution placing an arms embargo on Rwanda and the expansion of UNAMIR to facilitate the provision of humanitarian assistance to and the protection of threatened civilian populations. The United States had provided over $50 million in humanitarian relief to the subregion and called upon all Governments to consider what they could do in support of humanitarian relief operations.

The United States agreed that the human rights aspect should be part of measures adopted on Rwanda, because only thus could the fighting be ended in a way that would carry over into the future. His delegation called for the immediate dispatch of a team of human rights monitors under United Nations auspices not only to gather information on the ground, but by their very presence to facilitate the negotiations and increase the probability that the parties would lay down their arms. The goal, nevertheless, should be to demand accountability and responsibility for gross violations of human rights, both in Rwanda and elsewhere in the world. The international community must seize the moment to reaffirm its commitment to the universality of human rights and the renunciation of political violence and ethnic hatred. His delegation regretted that nearly two weeks had been lost in implementing that vital mandate of the Commission on Human Rights, and recommended that ways should be found to expedite the process, particularly in emergency situations.

Mr. RAMIREZ de ESTENOZ (Cuba) reiterated the concern of Cuba over the tragic events in Rwanda, although it believed that in the first place, the

people of Rwanda must try to find a solution to the conflict themselves. That solution required not only an immediate cease-fire and the beginning of a process of dialogue and negotiation among the parties to the conflict, but also the full implementation of the Arusha Peace Agreement and the recognition of the important role of the Organization of African Unity and its member States.

His delegation was faced with a major dilemma: whether to adopt the recommendation to take a decision and act to stop gross violations of human rights, thereby agreeing with concepts and linkages imposed upon us that distorted the mandate and functions of the various United Nations bodies under its Charter, or to reject the recommendation and remain silent in the face of human suffering and death. His delegation felt compelled to act and condemned the tragedy without hesitation, but it also felt compelled to denounce the double standard of those who, on the one hand, evaded any formal commitment in regions outside their strategic interests, and on the other, attempted to reap political dividends from extremely serious situations, thus establishing dangerous precedents that compromised the credibility and procedures of United Nations bodies.

The linkage that was being established in resolution S-3/1 between the Commission on Human Rights and the Security Council was totally unacceptable to his delegation, as were the references to controversial concepts of preventive diplomacy which were being endorsed. The Member States should be aware that it was not an isolated case by far; rather, it fit into an overall strategy that attempted to place certain organs and the United Nations itself above the sovereignty of its Member States.

Cuba would not oppose the adoption by consensus of the recommendation of the Commission on Human Rights to the Council, but in other circumstances it would have had difficulty in adopting preambular paragraphs 9, 19, 20 and 21 and operative paragraphs 11, 23 and 24.

Mr. KHAN (Pakistan) said that his Government had followed the massive violations of human rights in Rwanda with great anguish and had made efforts in the Security Council to halt the orgy of blood-letting. Unfortunately, the situation had continued to worsen. The request of the Government of Canada to hold a special session of the Commission on Human Rights had been very timely. The majority of the members of the Commission had demonstrated that the international community would not tolerate massive violations of human rights

anywhere in the world, and, by strongly condemning all human rights violations in Rwanda, the Commission had not only underlined the magnitude of the problem but had set a precedent for prompt international action in a country being consumed by the flames of ethnic and political conflict. The special session had also served as a catalyst in facilitating a meaningful dialogue between the Commission and the Security Council in order to coordinate United Nations action to protect innocent civilian lives. By affirming individual responsibility for the human rights violations in Rwanda, the Commission had further strengthened the concept of international accountability. Pakistan fully supported the decision to designate a special rapporteur and to use the existing human rights mechanism. The Government of Pakistan welcomed the appointment of Mr. Réné Degni Segui as Special Rapporteur and was confident that he would supplement and complete the bold mission of the High Commissioner for Human Rights and fulfil the obligation entrusted to him by the international community. Therefore, it fully endorsed the draft decision and urged its prompt adoption by the Economic and Social Council.

Ms. RAVN (Norway), speaking on behalf of the Nordic countries, said that the people of Rwanda were victims of meaningless violence and immeasurable suffering, and expressed their full support for the immediate implementation of Security Council resolutions 912 (1994) and 918 (1994) which called upon all parties to the conflict to cease hostilities immediately and agree to a cease-fire and an end to the violence. The Nordic countries commended the involvement of the High Commissioner for Human Rights and gave their full support to the recommendations presented in his report. They welcomed the appointment of Mr. Réné Degni Segui as Special Rapporteur to investigate the situation of human rights in Rwanda and commended the mandate given to him.

The Nordic countries expressed satisfaction that in his mandate, the Special Rapporteur was requested to gather and compile systematically information on possible violations of human rights and to make that information available to the Secretary-General. It was important to determine individual responsibility and to hold accountable those who had committed or contributed to the abuses. That would be the responsibility of national judicial systems, but the events in Rwanda once again underlined the need to create a permanent international criminal tribunal.

Therefore, she hoped that the Economic and Social Council, at its special session, would endorse the decision of the Commission on Human Rights regarding the establishment of the post of Special Rapporteur for Rwanda and that the necessary financial and human resources would be provided for the implementation of the Commission's resolution. The human rights mechanisms involved should be linked to a political process and to peace-keeping efforts in Rwanda. Post-conflict reconstruction must ensure the rule of law and the protection of minorities in the country.

Ms. HORIUCHI (Japan) said that her Government was deeply concerned about the situation in Rwanda, which had resulted in the killing of innocent people and flagrant violations of fundamental human rights. It strongly condemned those violations and hoped that respect for human rights would be restored immediately.

It welcomed the timely convening of the special session of the Commission on Human Rights on the situation in Rwanda and the resolution adopted by consensus in the Commission. The initiative of the Government of Canada in proposing the special session should be noted, as well as the efforts of African countries which had contributed to the adoption of the resolution by consensus.

Her delegation welcomed the timely appointment of Mr. Degni Segui as Special Rapporteur and hoped that he would visit Rwanda as early as possible and would report to the Commission in accordance with the resolution. For its part, her Government was ready to support fully the efforts of the Special Rapporteur and hoped that the Economic and Social Council would endorse the resolution adopted by the Commission on Human Rights during the current special session and that respect for human rights would be restored in Rwanda in the near future.

Ms. TOMKINSON (Australia) said that the Government of Australia welcomed the appointment of a Special Rapporteur to investigate, as a matter of urgency, the situation of human rights in Rwanda and to gather information on violations of human rights, international humanitarian law and crimes against humanity, and supported the appeal to the High Commissioner for Human Rights that all future United Nations activities regarding the conflict in Rwanda should include a human rights component. The immediate need was to put an end to flagrant violations of human rights; therefore, the Commission on Human Rights should play its role in an effective and coordinated manner within the United Nations system.

The PRESIDENT said that, if he heard no objection, he would take it that the Council wished to adopt the draft decision contained in chapter I of the report of the Commission on Human Rights (E/1994/24/Add.2).

It was so decided.

Ms. FENG Cui (China) said that her delegation was deeply concerned by the conflict in Rwanda and had joined the consensus on the decision that the Council had just adopted. In its opinion, both parties should respect the international agreements on human rights and the Geneva Conventions and should put an end to the killing of civilians and cooperate with the agencies providing humanitarian assistance for the protection of the population. in order to avoid the violation of fundamental freedoms and human rights, both parties should agree to a cease-fire that would allow a negotiated solution to the conflict.

As for the content of the decision that the Council had just adopted, her delegation had already expressed its position during the third special session of the Commission, and its position had not changed.

The PRESIDENT declared the special session closed.

The meeting rose at 4.10 p.m.